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1950

File No. Motor Tax II

1950 (N)

Legal Deptt

B. BRANCH

Subject:— Notifications under the Bombay Motor Vehicles Tax (second Amendment) 1949.

F. 6

File No. Motor Tax/1950 (N)

II

50 - B

Legal Department

In view of the facts stated by the H.D. mere deletion of the words "the ownership of a person residing in" from the draft at ℔. 17 would not do.

The "Province" has also been changed to "State" in view of the provisions of the Constitution of India.

2. A revised draft notification is sent herewith

Sd: J.R. Dhurandhar.

25/2.

Additional Secretary to Government.

U.R. to H.D., No. 2780, dated the 27th February 1950.

GJT. 26. 6½ 4 cs.

NOTIFICATION.

Home Department,

Bombay Castle, 1950.

Bombay Motor Vehicles Tax Act, 1935.

No. 7520/4. In exercise of the powers conferred by sub-sections (1) and (2) of section 5 of the Bombay Motor Vehicles Tax Act, 1835 (Bom. XXXIV of 1935), the Government of Bombay is pleased to prescribe the following conditions for claiming the refund of tax under sub-section (1) or (2) of section 5 of the said Act, namely :-

The owner of a motor vehicle other than a transport vehicle claiming refund under sub-section (1) or (2) of section 5 of the Bombay Motor Vehicles Tax Act, 1935, on the ground that such motor vehicle has been transferred to another State shall also produce a certificate from the Registering Authority of such another State that a tax corresponding to the tax under this Act has been paid in respect of such vehicle and that no exemption from payment of tax in such another State has been claimed in respect of such vehicle for the period for which the refund is claimed.

By order of the Governor of Bombay,

Secretary to Government.

GJT. 26.6. 4 c.

Legal Department.

Section 68(2)(b) of the Motor Vehicles Act, 1939, as amended by section 16(a) of Act XX of 1942 contains a specific provision to enable Government to prescribe by rules the fees to be paid in respect of appeals. It is necessary to make a similar specific provision in clause (g) of section 20(2) of the Bombay Motor Vehicles Tax Act, 1935. For the said clause (g), the following may be substituted, namely:-

> "(g) the authority to which, the time within which and the manner in which an appeal may be made under section 19A, the fees to be paid in respect of such appeal and the conduct and hearing of such appeal;".

Sd: J.R. Dhurandhar.

7/1/5.

Additional Secretary to Government.

U.R. to H.D. No. 5959, dated the 2nd May 1950.

JT: 26.6. 4 c.

Legal Department.

The amendments suggested by the Provincial Transport Officer and which are proposed to be incorporated in the draft notification supplied to the Home Department with U.R. to H.D. No. 13184, dated the 19th November 1949 are of major character and the draft notification will have to be provisionally published again as required by section 20(1) of the Act. The draft at page 38 may be republished after embodying therein the amendments the draft of which is sent herewith.

2. The Home Department draft notification at page 67 ante as amended is in order.

Sd: J.R. Dhurandhar
16/5.

Additional Secretary to Government.

U.R. to H.D., No. 6718, dated the 17th May 1950.

GJT. 26.6.' 4 d.

In the first Schedule to the said Rules,

(1) under entry "III Goods Vehicles" for item (f) and the entries against it the following shall be substituted, namely :-

"((Here enter A - A on p. 38)"

2. under entry "IV, Motor Vehicles plying for passenger line" -

(i) the following item shall be inserted before item "4 passengers", namely :-

"(Here enter B - B on p. 75)"

(ii) for item "4 passengers" in column 2 the following shall be substituted, namely:-

"3 or 4 passengers".

(3) after entry IV, the following new entry shall be inserted, namely :-

"IV-A (Here enter C - C as at p. 75-76 ante)"

By order of the Governor of Bombay,

Deputy Secretary to Governme

Home Department,

Bombay Castle, 1950.

NOTIFICATION :

Bombay Motor Vehicles Tax Act, 1935.

No. .- In exercise of the powers conferred by sub-section (1) of section 3 of the Bombay Motor Vehicles Tax Act, 1935 (Bom. XXXIV of 1935), and in supersession of all previous notifications issued in this behalf, the Government of Bombay is pleased to direct that with effect on and from 1950 a tax at the rates specified in column 2 of the Schedule hereto appended shall be levied in respect of the motor vehicles specified against them in column 1 thereof which are used or kept for use in the State.

SCHEDULE.

Motor vehicles.	Annual rate of tax
1	2.
A.- Motor vehicles fitted solely with pneumatic tyres:-	

By order of the Governor of Bombay,

Deputy Secretary to the Government of Bombay, Home Department.